

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

LANCIUM LLC,

Plaintiff,

v.

U.S. DATA MINING GROUP, INC.
(D/B/A US BITCOIN),
U.S. MINING INFRASTRUCTURE
OPERATIONS, LLC, and
U.S. DATA KING MOUNTAIN LLC,

Defendants.

Case No. 6:23-cv-00344-KC

JURY TRIAL DEMANDED

JOINT MOTION TO EXTEND STAY

Plaintiff Lancium LLC and Defendants U.S. Data Mining Group, Inc. (d/b/a US Bitcoin), U.S. Mining Infrastructure Operations, LLC, and U.S. Data King Mountain LLC (collectively, “Defendants”) (collectively, the “Parties”) jointly and respectfully move the Court to: (1) extend the time for Defendants to answer, move, or otherwise respond to Plaintiff’s Complaint until January 15, 2024; and (2) otherwise extend the stay of this case and all other deadlines until January 15, 2024. Good cause exists for granting this Motion for the following reasons:

1. On July 1, 2023, in order to aid discussions regarding resolution of this matter, the Parties jointly moved to extend Defendants’ deadline to respond to the complaint until October 2, 2023 and to stay all other deadlines until October 2, 2023. *See* D.I. 15.

2. On July 5, 2023, the Court granted the Parties’ joint motion and stayed all deadlines until October 2, 2023. *See* D.I. 16.

3. During the stay period, the Parties engaged in continued negotiations but have not yet been able to reach final resolution. Negotiations continue, but have been complicated by, among

other things, Defendants' concurrent efforts to consummate a proposed merger transaction. To the extent that the merger is consummated, the Parties expect to engage in further good faith negotiations with the goal of bringing these disputes to a consensual resolution.

4. In the interim, the Parties do not wish to expend the Court's or the Parties' resources. Given the scope of this litigation, which involves seven (7) patents, the Parties expect that early motion practice and claim construction proceedings alone will result in a substantial imposition upon the Court and significant expenditure by the Parties.

5. In view of the Parties' expected path to resolution, and the substantial resources and expense associated with litigating a case of this size and scope, the Parties respectfully request that the Court enter an order extending the time in which Defendants may respond to Plaintiff's Complaint up-to and including January 15, 2024, and otherwise extend the stay of this case and all pending deadlines until January 15, 2024.

Dated: September 21, 2023

Respectfully submitted,

/s/_____

Francisco J. Ortega
Texas Bar No. 24060365
SCOTTHULSE, P.C.
One San Jacinto Plaza
201 E. Main Drive, Suite 1100
El Paso, TX 79901
Telephone: (915) 546-8245
Fax: (915) 546-8333
Email: fort@scotthulse.com

Jeff H. Ray
Texas Bar No. 16604400
Marisa Y. Ybarra-Williams
Texas Bar No. 24067360
RAY PEÑA McCHRISTIAN
5822 Cromo Drive, Suite 400
El Paso, TX 79912
Telephone: (915) 832-7200
Fax: (915) 832-7333
Email: jray@raylaw.com
Email: mybarra-williams@raylaw.com

Mark C. Nelson
Texas Bar No. 00794361
BARNES & THORNBURG LLP
2121 North Pearl Street, Ste. 700
Dallas, TX 75201
Telephone: (214) 258-4200
Fax: (214) 258-4199
Email: mark.nelson@btlaw.com

Adam M. Kaufmann (admitted *pro hac vice*)
BARNES & THORNBURG LLP
One North Wacker Drive, Suite 4400
Chicago, IL 60606
Telephone: (312) 214-8319
Fax: (312) 759-5646
Email: adam.kaufmann@btlaw.com

**ATTORNEYS FOR PLAINTIFF
LANCIUM LLC**

/s/_____

Krishnan Padmanabhan
kpadmanabhan@winston.com
WINSTON & STRAWN LLP
200 Park Avenue
New York, NY 10166-4193
Tel: 212-294-6700
Fax: 212-294-4700

Daniel T. Stabile
dstabile@winston.com (Pro Hac Vice)
WINSTON & STRAWN LLP
200 South Biscayne Boulevard
Miami, FL 33131
Tel: (305) 910-0500
Fax: (305) 910-0505

William M. Logan
Texas Bar No. 24106214
wlogan@winston.com
WINSTON & STRAWN LLP
800 Capitol Street, Suite 2400
Houston, TX 77002
Tel: (713) 651-2766
Fax: (713) 651-2700

**ATTORNEYS FOR DEFENDANTS
U.S. DATA MINING GROUP, INC.,
U.S. MINING INFRASTRUCTURE
OPERATIONS, LLC, AND
U.S. DATA KING MOUNTAIN LLC**

CERTIFICATE OF CONFERENCE

This is to certify that on September 20, 2023 counsel for Plaintiff conferred with counsel for Defendants regarding the relief requested in this motion.

/s/ Mark C. Nelson
Mark C. Nelson

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of the foregoing on September 21, 2023, via the Court's CM/ECF system.

/s/ Mark C. Nelson
Mark C. Nelson